19. The system of claim 1 in which the watermarked user information is stored on the record carrier in a different manner than the medium mark is stored, the user information writing means being insufficient for writing the medium mark on the record carrier.

REMARKS

Claims 1-19 are currently pending based on the amendment herein.

The Examiner rejected claims 1-17 under 35. U.S.C.§103(a) as allegedly being unpatentable over Oshima *et al*. (U.S. Patent No. 5,761,301) in view of Moskowitz *et al*.

The Examiner rejected claims 18 and 19 under 35 U.S.C. §103(a)as allegedly being unpatentable over Oshima *et al*. and Moskowitz as applied to claim 1 above, and further in view of Naccache *et al*.

35 U.S.C. §103

Claims 1-17 are rejected under 35. U.S.C.§103(a) as allegedly being unpatentable over Oshima *et al*. (U.S. Patent No. 5,761,301) in view of Moskowitz *et al*.

As to claim 9 and claims 1, 5, and 11 as amended, Applicant respectfully contends that Oshima and Moskowitz do not individually or collectively teach or suggest each and every

feature of claims 1, 5, 9, and 11. For example, Oshima and Moskowitz do not teach or suggest the features of "means for reading from a record carrier, **a first medium mark** representing a first bitpattern", "a second bitpattern according to a predefined relationship to the first bitpattern", "embedding a watermark representing the second bitpattern in user information to be recorded", "writing the watermarked user information on an information carrier for storage", and "the information carrier comprises **a second medium mark** representing the first bitpattern; and means for verifying the relationship between the second bit pattern and the first bit pattern on the information carrier".(Emphasis added). Oshima and Moskowitz do not teach or suggest a copy protection system that comprises a first medium mark representing a first bitpattern on a record carrier (e.g.,original medium that is copy protected) **and** a second medium mark representing the first bitpattern on an information carrier (e.g., information carrier for authorized recording of copyrighted material) so that only authorized information carriers may be used for recording information from the record carrier. In fact, Oshima and Moskowitz do not teach or suggest any medium mark on an information carrier so that only authorized information carriers may be used for recording information from the record carrier. Applicant discloses the aforementioned system with the **two** medium marks comprising the first bitpattern

on the record carrier **and** the information carrier (emphasis added). Additionally, Applicant discloses that a second bitpattern that has a predefined relationship to the first bitpattern is generated and embedded in a watermark. The watermark is recorded onto the information carrier during a recording process. Recorded information on the information carrier may not be read unless the information carrier comprises the second medium mark representing the first bitpattern from the record carrier for verification of a predefined relationship between the first bitpattern within the second medium mark and the second bitpattern embedded in the watermark. The aforementioned medium marks and bitpatterns are disclosed in the specification on page 2, lines 27-39, page 3, lines 1-16, and page 6, lines 5-15. Based on the preceding arguments Applicant respectfully maintains that claims 1, 5, 9, and 11 are not unpatentable over Oshima in view of Moskowitz and that claims 1, 5, 9, and 11 are in condition for allowance. Since claims 2-4, 14, 18, and 19 depend from claim 1, claims 6-8, and 15 depend from claim 5, claims 10 and 16 depend from claim 9, and claims 12, 13 and 17 depend from claim 11, Applicant contends that claims 2-4, 6-8, 10, and 12-18 are likewise in condition for allowance.
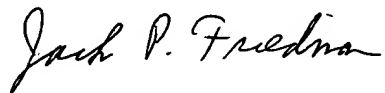
Conclusion

Based on the preceding arguments and amendments, Applicants respectfully believe that claims 1-19 and the entire application meet the acceptance criteria for allowance and therefore request favorable action.

Should the Examiner believe anything further would be useful in resolving any outstanding issues, he is invited to contact Applicants' representative at the telephone number listed below.

Date: 10/21/2002

Respectfully submitted,

Jack P. Friedman

Jack P. Friedman
Reg. No. 44,688

Schmeiser, Olsen & Watts
3 Lear Jet Lane - Suite 201
Latham, N.Y. 12110
(518) 220-1850

AMENDED MATERIAL

Claims 1, 5, 6, 11, and 18 are amended as follows:

1. (four times amended) A system comprising:

a recorder, including:

means for reading from a record carrier, a <u>first</u> medium mark representing a first bitpattern

means for generating a second bitpattern according to a predefined relationship to the first bitpattern;

encoder means for embedding a watermark representing the second bitpattern in user information to be recorded; and

means for [writing] <u>recording</u> the watermarked user information on [the] <u>an</u> information carrier for storage;

the system further comprising:

a player including:

means for reproducing the recorded watermarked user information from the information carrier<u>, wherein the information carrier comprises a second medium mark representing the first bitpattern</u>; and

means for verifying the relationship between the second bit pattern and the first bit pattern <u>on the information carrier</u>.

5. (four times amended) A recorder comprising:

means for generating a second bitpattern according to a predefined relationship to a first bitpattern represented on a record carrier by a _first_ medium mark; and

encoder means for embedding a watermark representing the second bitpattern in user information to be recorded ; and

means for [recording] _copying_ the watermarked user information [on] _from_ the record carrier _to an information carrier comprising a second medium mark representing the first bitpattern_.

6. (four times amended) The recorder of claim 5, in which:

the recorder further comprises marking means for writing the _first_ medium mark on the information carrier; and

the generating means generate the first bitpattern from a seed according to a further predefined relationship.

11. (four times amended) A player comprising:

means for reproducing user information from [a record] _an information_ carrier ;

first means for reading a _second_ medium mark representing a first bitpattern from the [record] _information_ carrier;

second means for detecting a second bitpattern represented by a watermark in the reproduced user information; and

verification means for verifying a predefined relationship between the second bitpattern and the first bitpattern.

18. (twice amended) The system of claim 1 in which the <u>second</u> medium mark is pressed in the record carrier during manufacture.